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AUG 15 2005

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPI**FILED**

AUG 15 2005

GARY S. COX SR.
PlaintiffARLEN B. COYLE, CLERK
By Jeanne Bertalan
Deputy

CASE NO.

41,2591:05CV195-B-1v.
DEPARTMENT OF HUMAN SERVICES
LEE County Sheriff DEPT. Linda BECKER
Defendant**PRISONER'S COMPLAINT CHALLENGING CONDITIONS OF CONFINEMENT**

1. The Plaintiff's full legal name, the name under which the Plaintiff was sentenced, the Plaintiff's inmate identification number, the Plaintiff's mailing address, and the Plaintiff's place of confinement are as follows:

A. Legal name:

GARY SEDECKI COX SR.

B. Name under which sentenced:

GARY S. COX SR.

C. Inmate identification number:

427-37-5624

D. Plaintiff's mailing address (street or post office box number, city, state, ZIP):

520 S. CANAL ST TUPELO
MS, 38804.

E. Place of confinement:

510 N. COMMERCE ST TUPELO
MS, 38804

2. Plaintiff names the following person(s) as the Defendant(s) in this civil action:

Name:

DHS DEPARTMENT OF HUM-

Title (Superintendent, Sheriff, etc.):

AN SERVICES

Defendant's mailing address (street or post office box number, city, state, ZIP):

P.O BOX 7187TUPELO, MS, 38802

ND MISS. FORM P3, COMPLAINT CHALLENGING CONDITIONS OF CONFINEMENT (4/00)

Name: _____

Title (Superintendent, Sheriff, etc.): _____

Defendant's mailing address (street or post office box number, city, state, ZIP) _____

LINDA BEICALEY
LEE COUNTY SHERIFF DEPT.
510 N. COMMERCE ST.
TUPALO MS 38804

Name: _____

Title (~~Superintendent, Sheriff, etc.~~): _____

Defendant's mailing address (street or post office box number, city, state, ZIP) _____

DEPARTMENT OF HUMAN SERVICES
405 S. SPRING
TUPALO MS, 38801

Name: _____

Title (Superintendent, Sheriff, etc.): _____

Defendant's mailing address (street or post office box number, city, state, ZIP) _____

(If additional Defendants are named, provide on separate sheets of paper the complete name, title, and address information for each. Clearly label each additional sheet as being a continuation of Question 2).

3. Have you commenced other lawsuits in any other court, state or federal, dealing with or pertaining to the same facts that you allege in this lawsuit or otherwise relating to your imprisonment? ☐ Yes ☒ No
4. If you checked "Yes" in Question 3, describe each lawsuit in the space below. If there is more than one lawsuit, describe the additional lawsuit(s) on separate sheets of paper; clearly label each additional sheet as being a continuation of Question 4.

A. Parties to the lawsuit:

Plaintiff(s): _____

Defendant(s): _____

B. Court: _____ C. Docket No.: _____

D. Judge's Name: _____ E. Date suit filed: _____

F. Date decided: _____ G. Result (affirmed, reversed, etc.): _____

5. Is there a prisoner grievance procedure or system in the place of your confinement? ☒ Yes ☐ No
6. If "Yes," did you present to the grievance system the same facts and issues you allege in this complaint? (See question 9, below). ☒ Yes ☐ No
7. If you checked "Yes" in Question 6, answer the following questions:

A. Does the grievance system place a limit on the time within which a grievance must be presented?

☐

Yes

☒

No

B. If you answered "Yes," did you file or present your grievance within the time limit allowed?

☒

Yes

☐

No

C. The court must find that you exhausted the prison's grievance system and administrative remedies before it can consider this Complaint. State everything you did to present your grievance(s). Be specific. Include the date(s) on which you filed or presented your grievances to prison officers; identify the officer(s). State your claim(s) exactly.

WE FILED OUT GRIEVANCES FORMS ON 7-24-05 AND
WAITED. I THEN RECEIVED A RESPONSE
AND MY PAPER WORK FROM THE CHIEF SGT.
STATING WE DID NOT DO ANYTHING ABOUT A
COURT DATE.

D. State specifically what official response your grievance received. If the prison provides an administrative review of the decision on your grievance, state whether you applied for that review and what the result was.

Special Note: Attach to this Complaint as exhibits complete copies of all requests you made for administrative relief through the grievance system, all responses to your requests or grievances, all administrative appeals you made, all responses to your appeals, and all receipts for documents that you have.

8. If you checked "No" in Question 6, explain why you did not use the grievance procedures or system:

N/A

9. Write below, as briefly as possible, the facts of your case. Describe how each Defendant is involved. Write the names of all other persons involved. Include dates and precise places of events. Do not give any legal argument or cite any legal authority. If you have more than one claim to present, number each claim in a separate paragraph. Attach additional pages only if necessary; label attached pages as being continuations of Question 9.

FROM MAY 16 05 UNTIL JULY 19 05 I SIT OUT OLD FINES IN THE LEE COUNTY ADULT JAIL. UPON MY RELEASE DATE I WAS TOLD I COULD NOT LEAVE BECAUSE CHANCELY CLERK OFFICE HAD A HOLD ON ME AND I HAD TO COME UP WITH 2000 DOLLARS ON BACK TIME CHILD SUPPORT. I DID NOT HAVE \$2000 I HAVE BEEN IN JAIL SINCE MAY 16-05. ASK THE OFFICER IN CHARGE OF BOOKING AND RELEASING FOR PAPER WORK CONCERNING THE MATTER HE LAUGHED AT ME AND TOLD ME I WILL GET IT WHEN I GET. I WAS INCARCERATED WITH A YOUNG WHITE MAN NAME JOSEPH FRANKLIN WHOM HAD ALSO BEEN ARREST FOR BACK TIME CHILD SUPPORT BY THE SAME DEFENDANT LEE COUNTY SHERIFF DEPT TUPELO POLICE DEPT. JOSEPH FRANKLIN STAYED IN THE HOLDING CELL 15 MIN. MRS. LINDA IN CHARGE OF BOOKING AND RELEASING, TOLD HIM

TO go down TO the DHS child support
DIVISION And make payment Arrangements
HE WAS RELEASED IMMEDIATELY. I AM
still incarcerated. THEY RECEIVE MY INTERESTED
INCOME TAX RETURN IN 2004

10. State briefly exactly what you want the court to do for you. Do not make legal arguments. Do not cite legal authority.

I want THE JUST COURTS TO HAVE ME RELEA
SED IMMEDIATELY AND ALLOW ME TO MAKE PAY
MENT ARRANGEMENTS. I WANT \$1000 FOR
EVERY DAY I WAS UNJUSTLY held in this
Jail AND TREATED badly I want \$50,000
FOR SEQUENCE OF MENTAL PAIN AND MEDICAL
NEGLECT. I ALSO WANT THE COURTS TO LOOK
into the fact that I AM getting charge
d FOR child support FOR TWO GROWN SONS
THAT ARE 21 AND OUT WORKING ON THEIR
OWN. I WASN'T INFORMED OF ANY COURT
DATE MATTER OF FACT I WAS IN MOSS POINT
MS, MARCH 2002 AND I RECEIVED NO SUCH
PAPERS SO HOW CAN I BE held in court
I HAVE THOUSANDS OF DOLLARS WORTH OF RECEIPTS
WHERE I PAID child support on RECORD
I want the COURT TO TAKE this in consideration
I WANT MY X WIFE TO BE MADE TO PAY BACK all mony
RECEIVED AFTER MY SONS LEFT IN 2000

This Complaint was executed at (location):

LEE COUNTY + TUPELO Adult Jail

and I declare or certify or verify or state under penalty of perjury that this Complaint is true and correct.

Date: 7-27-05

Ray A. Cox
Plaintiff's Signature

Lee County/Tupelo Adult Jail

INMATE COMPLAINT FORM

Inmates name: GARY S. COX

Date: 7-24-05

Location: POD: A, B, C, D, E, F, G, other _____

DETAILS OF COMPLAINT: I COMPLETED 1000 DAYS GIVEN
NY JUDGE UPON MY RELEASE DATE I WAS TOLD
THAT THE CHANCERY CLERK HAD ADD ON ME I
ALL THE PAPER WORK CONCERNING THE MATTER AND
WAS TOLD BACK HERE SINCE MY INMATE I WAS
NOT INFORMED OF COURT DATE OR ANY THING I
WAS TOLD I NEEDED TO BE RELEASED. I WENT
TO SEE SOME PAPER WORK AND THE JUDGE

Turned over to: _____
(Name of Corrections Officer)

Date: 7-24-05

Inmates signature: Gary Cox

Date: _____

Received by Shift Sergeant: Lt. J. J. J.

Date action taken: 7-28-05

Disposition: yes I am not sure about your court date

but I will get a copy of your court date

Signature of Shift Sergeant: Lt. J. J. J.

Date: 7-28-05

IN THE CHANCERY COURT OF Lee COUNTY, MISSISSIPPIDEPARTMENT OF HUMAN SERVICES
STATE OF MISSISSIPPI

PLAINTIFF

VS.

NO. 41,259

SSN:

Gary Cox
427375024

DEFENDANT

ORDER

This action having come on for hearing this date upon
Complaint of the Plaintiff and the Court hereby finds and Orders
follows:

() CONTINUED TO AND SET FOR HEARING ON THE _____ day of
_____, 200 , at 9:30 a.m. in the Chancery
Court in _____, Mississippi.

() CONTINUED until further order of the Court.

(xx) The defendant is found to be in civil contempt and is ordered to be

incarcerated in the Lee County Jail until he/she has purged

himself/herself of civil contempt by the payment of \$ 2000⁰⁰ to the

Lee

County Child Support Office.

() Court costs assessed against _____

ORDERED, ADJUDGED AND DECREED, this the 4 day of

March

, 2002.

John C. Rung
CHANCELLOR

PRESENTED BY:

STACI BEVILY, Attorney for DHS
PO BOX 7187
Tupelo, MS 38802
Tel: (662) 41-9095
Bar No: 99117

CLERK OF COURT
CHANCELLOR'S OFFICE
LEE COUNTY, MS

05/24/05 PM 10:10

BC

575

Received

MAY 2 2005

MISSISSIPPI DEPARTMENT OF HUMAN SERVICES

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MAY 25 2005

PONTOTOC COUNTY

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